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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2067 OF 2006

Varsha Laxmanrao Deshpande .. Petitioner.

vs.

State of Maharashtra. .. Respondents.

Mr. U.P. Warunjikar for Petitioner.

Mr. S.R. Borulkar, PP for State.

Ms. Kranti S. Anand for Intervenor.

CORAM : J.N. PATEL, AND

SMT. ROSHAN DALVI, JJ.

DATE : 20th October, 2006.

P.C.

. The petitioner has approached this Court for seeking an order that the investigation in the matter of Crime Register No. 99 of 2006 registered at Satara Police Station against the petitioner be transferred and be got investigated by independent agency not involving police authorities of Satara District.

2. It is the case of the petitioner that the police authorities of Satara District are highly prejudiced against her as she being an activist has exposed them for a case of sexual harassment as well

as this false report has been lodged against her at the behest of her political opponents. In the affidavit in reply, it has been stated by the Investigating officer that the investigation is almost complete and as the writ petition is pending before this Court, he has not filed charge sheet.

3. In our view the petition can be disposed of with a direction that the investigating officer shall inform the petitioner the date on which he is filing charge sheet before the Special Judge constituted under SC/ST (Prevention of Atrocities) Act and the petitioner can very well surrender before the Special Judge and apply for bail on the very date and the learned Special Judge will take up her application for bail and pass appropriate orders.

4. We may record that the respondents do not require the custody of the petitioner for the purpose of investigation as it is almost complete and, therefore, on the petitioner's surrendering before the Special Judge, she will be submitting to the jurisdiction of the Special Judge. Her case for bail can be considered on merits.

5. The complainant has also sought an investigation in the matter. In view of the fact that the investigating officer is filing a charge

sheet against the petitioner, we are not inclined to entertain the application for intervention. The petition and the intervention application no. 431 of 2006 stand disposed of accordingly.

(J.N. Patel, J.)

(Smt. Roshan Dalvi, J.)